

United States District Court

for the
Eastern District of Missouri

United States of America

v.

Clarence Thomas

Case No: 4:05CR160USM No: 31752-044Date of Previous Judgment: 8/26/05Stephen Welby

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the Term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and upon motion of the United States, and having considered such motions,

IT IS ORDERED that the motions are

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 135 months is reduced to 102 months

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 31Amended Offense Level: 29Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 135 to 168 monthsAmended Guideline Range: 120 to 135 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☒ Other (explain):


The reduced sentence reflects a sentence within the amended guideline range (120 months) that is further reduced pursuant to Rule 35(b)(2)(B) of the Federal Rules of Criminal Procedure by 18 months to a final sentence of 102 months.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 08/26/05 shall remain in effect.

IT IS SO ORDERED

Order Date: 9/2/08


 Judge's Signature

Effective Date: _____
 (if different from order date)

Jean C. Hamilton, US District Judge
 Printed Name and title